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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,525	09/12/2003	Ezio Arrigoni	2778-144	5316
6449	7590	12/31/2007		
ROTHWELL, FIGG, ERNST & MANBECK, P.C. 1425 K STREET, N.W. SUITE 800 WASHINGTON, DC 20005			EXAMINER POE, KEVIN T	
			ART UNIT 3693	PAPER NUMBER
			NOTIFICATION DATE 12/31/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTO-PAT-Email@rfem.com

Office Action Summary	Application No.	Applicant(s)	
	10/660,525	ARRIGONI ET AL.	
	Examiner	Art Unit	
	Kevin Poe	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>9/12/2003</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This office action is in response to applicant's communication of September 12, 2003. Original claims 1-18 are pending and have been examined. The rejections are stated below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. **Claims 1-11** are rejected under 35 U.S.C. 102(e) as being anticipated by **Teicher [US Pub. No. 2003/0115100 A1]**.

4. Regarding **claim 1**, Teicher discloses a method of managing portable payment/charging modules usable by a plurality of consumers within the scope of a sales service selling products offered by a vendor (A), the method comprising the steps of: --supplying (EMS) a consumer (C) of the said plurality with a portable payment/charging module (CC), the module (CC) enabling the consumer (C) to take

advantage of benefits offered by the vendor (A) within the scope of the sales service.

[Abstract, 0012-0013]

Teicher discloses associating a current bank account (CURR-ACC) with the vendor, the current account being divisible into a plurality of locations (PI-Pn) correlated with the consumers of the plurality. [0012 and 0026]

Teicher discloses crediting (DPT; PURCH-ACCU) a monetary asset (CAP1) available to the consumer to a location (PI) of the plurality of locations (PI-Pn) which is correlated with the consumer (C), the module enabling the consumer to perform a plurality of financial transactions (FINTRAN) based on the asset and outside the sales service. [Abstract]

5. Regarding **claim 2**, Teicher discloses in which the current bank account (CURR-ACC) is managed by a credit institution (BNK) cooperating with a service centre (SERV-CNTR) of a manager. [0026]

6. Regarding **claim 3**, Teicher discloses which the crediting step comprises a step of the depositing (DPT) by the consumer (C) of a sum of money in the location (PI) in the current account (CURR-ACC), the depositing step being performed at a sales point authorized by the vendor (SEL-PNT) or at a bank authorized by the credit institution (BNK). [0010]

7. Regarding **claim 4**, Teicher discloses associating (ASC) with a product offered by the vendor at least one bonus point (NPB) representative of a monetary value (VM) correlated with the product, upon the purchase of the product, crediting (PURCH-ACCU) the monetary value of the at least one bonus point to the location (PI) in the current account (CURR-ACC). [0034]

8. Regarding **claim 5**, Teicher discloses in which the supply step comprises a step of the acquisition of the payment/charging module (CC) by the consumer (C). [0026]

9. Regarding **claim 6**, Teicher discloses in which the portable module comprises means for storing an identification code of the consumer and information relating to the at least one bonus point and to the consumer's assets. [0026]

10. Regarding **claim 7**, Teicher discloses in which the plurality of financial transactions comprises at least one financial transaction belonging to the group including: a cash-dispenser transaction (BNCM), a credit-card transaction (CRT-CRD), an Internet transaction (E-COMM). [0006 and 0012]

11. Regarding **claim 8**, Teicher discloses in which the benefits offered by the vendor within the scope of the sales service comprise at least one operation belonging to the group including: the purchase of a further product, the purchase of the further product with a discount (DISCT), the delivery of a gift (GFT). [0002 and 0034]

12. Regarding **claim 9**, Teicher discloses in which the portable module (CC) is of a type belonging to the group comprising: a magnetic card, a card with an integrated circuit, a card similar to an identity card, a key. [0006 and 0014]

13. Regarding **claim 10**, Teicher discloses prior to the step of the depositing (DPT) of the sum of money or of the crediting (PURCH-ACCU) of the monetary value (VM), the consumer's assets (CAP1) are nil. [0039 and 0046]

14. Regarding **claim 11**, Teicher discloses in which a service computer (SERV-COMP) is associated with the service centre (SERV-CNTR) and a management centre (MNG-CNTR) using a management computer (MNG-COMP) is associated with the credit institution (BNK), the service computer and the management computer having respective means for storing data relating to the consumer and to the consumer's assets. [0026]

Claim Rejections - 35 USC § 103

15. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

16. **Claims 12 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Teicher [US Pub No. 2003/0115100 A1]** in view of **Angles et al. [US Pub. No. 2006/0116924 A1]**.

17. Regarding **claim 12**, Teicher does not explicitly disclose in which the service computer (SERV-COMP) can exchange data/instructions with the management computer (MNG-COMP) by means of a telematics network. However Angles et al. discloses Transmission Control Protocol/Internet Protocol (TCP/IP). A standard Internet protocol (or set of protocols) which specifies how two computers exchange data over the Internet. [Angles 0060]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Teicher to include the teachings of Angles et al. to obtain invention as specified in claim 12. The rationale to combine the teachings is because the TCP/IP is the communications protocol suite on which the internet and most commercial networks operate.

18. Regarding **claim 13**, Teicher does not explicitly disclose in which the crediting step (DPT; PURCH-ACCU) comprises a step of sending a datum/credit instruction from the service computer (SERV-COMP) to the management computer (MNG-COMP) by means of the telematics network. However Angles et al. discloses Transmission Control Protocol/Internet Protocol (TCP/IP). A standard Internet protocol (or set of

protocols) which specifies how two computers exchange data over the Internet. [Angles 0060]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Teicher to include the teachings of Angles et al. to obtain invention as specified in claim 13. The rationale to combine the teachings is because the TCP/IP is the communications protocol suite on which the internet and most commercial networks operate.

19. **Claims 14-16 and 18** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Teicher [US Pub No. 2003/0115100 A1]** in view of **Angles et al. [US Pub. No. 2006/0116924 A1]** and further in view of **Postrel [US Patent No. 6,594,640 B1]**.

20. Regarding **claim 14**, Teicher does not explicitly disclose receiving, in the management computer (MNG-COMP), a plurality of data relating to a financial transaction of the plurality of transactions (FIN-TRAN), sending from the management computer to the service computer (SERV-COMP) a request for authorization of the financial transaction and the data relating to the financial transaction, processing (ELB-MNG) the plurality of data relating to the transaction, together with the data relating to the consumer's assets, by the service computer (SERV-COMP), supplying an authorization of the financial transaction by the service computer (SERV-COMP). However Postrel discloses the user requests a purchase of an item from an associated merchant computer by selecting the item to be purchased from a plurality of available

items. The trading server computer confirms that the user's reward exchange account contains sufficient points to purchase the selected item. The user may purchase additional points in the event that his account does not contain the requisite number of points for making the purchase transaction. The trading server computer requests the merchant computer to deliver the item to the user. [Postrel Col. 4 lines 21-30]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Teicher to include the teachings of Postrel to obtain invention as specified in claim 14. The rationale to combine the teachings would be for a merchant or vendor to provide a higher level of service to the consumer.

21. Regarding **claim 15**, Teicher discloses in which the processing step (ELB-MNG) comprises a step of comparing the assets (CAP1) with a value of the withdrawal from the current bank account resulting from the financial transaction. [0045]

22. Regarding **claim 16**, Teicher discloses in which the step of supplying an authorization of the financial transaction is performed only if the comparison step shows that the assets (CAP1) are greater than the value of the withdrawal. [0045]

23. Regarding **claim 18**, Teicher discloses a step of identification of the consumer performed by the management computer (MNG-COMP). [0014]

24. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Teicher [US Pub No. 2003/0115100 A1]** in view of **Angles et al. [US Pub No. 2006/0116924 A1]** and **Postrel [US Patent No. 6,594,640 B1]** and further in view of **Sancho [US Pub 2005/0108177 A1]**.

25. Regarding **claim 17**, Teicher does not explicitly disclose the step of receiving in the management computer, the steps of: operatively associating the portable identification module (CC) with an external computer (BNCM-PNT) in order to effect the financial transaction, the external computer being connected to the management computer (MNG-COMP) by means of a telematics network, sending the plurality of data relating to the financial transaction and the request for authorization of the financial transaction to the management computer (MNG-COMP), by the external computer (BNCM-PNT). However Sancho discloses the vendor computer communicating with the ISP computer to request authorization to complete buyer's requested transaction. [Sancho 0019]

At the time of the invention it would have been obvious to one of ordinary skill in the art to modify the disclosure of Teicher to include the teachings of Sancho to obtain invention as specified in claim 17. The rationale to combine the teachings would be for secure network purchasing.

Conclusion

Application/Control Number:
10/660,525
Art Unit: 3693

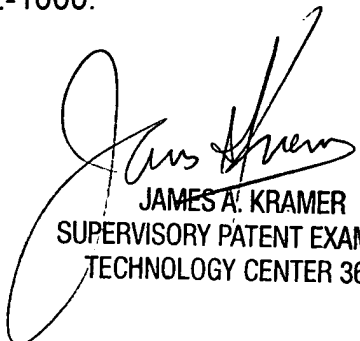
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Poe whose telephone number is 571-272-9789. The examiner can normally be reached on Monday-Thursday 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

kp

 12.20.07
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